

STATE OF WISCONSIN

CIRCUIT COURT

MONROE COUNTY

MICHAEL B. KINGSLEY  
WISCONSIN RESOURCE CENTER  
P.O. BOX 220  
WINNEBAGO, WI 54984-0220

Plaintiff,

vs.

Case No. 13-CV-141

KEVIN RADDATZ  
210 WEST OAK STREET  
SPARTA, WI 54656

Defendant

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SUMMONS

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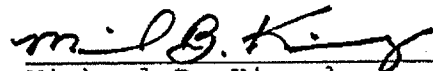
THE STATE OF WISCONSIN, To each named person above named as a Defendant:

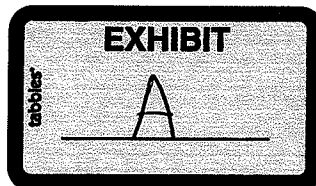
You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you. The complaint, which is attached states the nature and basis of the legal action.

Within (20) days of receiving this summons, you must respond with a written answer, as that term is used in chapter 802 of the Wisconsin Statutes, to the complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is 112 South Court Street Room 203 Sparta Wisconsin, and to the Plaintiff Michael B. Kingsley's address, Wisconsin Resource Center, P.O. BOX 220, Winnebago, WI 54985. You may have an attorney help or represent you.

If you do not provide a proper answer within (20) days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 17<sup>th</sup> day of May, 2013

  
Michael B. Kingsley  
Wisconsin Resource Center  
P.O. BOX 220  
Winnebago, WI 54985-0220



STATE OF WISCONSIN

CIRCUIT COURT

MONROE COUNTY

MICHAEL B. KINGSLEY,

Plaintiff,

vs.

Case No. 13CV141

Case Classification Code 30703

KEVIN RADDATZ,

Defendant,

**FILED**

MAY 06 2013

COMPLAINT UNDER THE CIVIL RIGHTS  
ACT 42 U.S.C. § 1983

CLERK OF CIRCUIT COURT  
MONROE COUNTY WISCONSIN

INTRODUCTION

This is a Civil Rights action filed by Michael B. Kingsley a state prisoner Pro Se, for damages under 42 U.S.C. § 1983, alleging excessive use of force in violation of the 4th, 14th Amendment to the United States Constitution, and Article I Section 1 of the Wisconsin Constitution.

JURISDICTION

1. This Court has jurisdiction over Kingsley's claim of violations of his Federal and State Constitutional Rights under 42 U.S.C. § 1331(1) and Wis. Stat. § 801.04(1)

PARTIES

The plaintiff Michael B. Kingsley ("Kingsley"), was a pretrial detainee at the Monroe County Jail ("MCJ"), in Sparta, Wisconsin, during the events described in this complaint.

3. The defendant Kevin Raddatz ("Raddatz") is a Deputy for the MCJ in Sparta, Wisconsin, he is sued in his individual and official capacities.

4. Raddatz was acting, and continues to act under color of state law at all times relevant to this complaint.

FACTS

5. On September 25, 2011, Kingsley was top-locked (confined to a general population cell at MCJ.)

6. On September 25, 2011, at about 7:30am Raddatz approached Kingsley's housing cell.

7. Raddatz awoke Kingsley and asked if he had an extra mattress, and Kingsley stated he did.

8. Raddatz told Kingsley he needed the mattress. Kingsley asked if he would come back later to get the mattress. Raddatz told Kingsley no and he needed the mattress now.

9. Kingsley got up out of bed and removed the extra mattress, and in a sliding tossing motion gave the mattress to Raddatz.

10. Raddatz, without warning pounced on Kingsley. Kingsley fell backwards on the cell bed, and Raddatz was on top of him. Raddatz then punched Kingsley in the neck causing him serious pain and discomfort.

11. Raddatz then placed Kingsley in an arm bar hold and took him to a receiving/segregation cell.

12. Shortly after these events Kingsley was taken to Sparta Hospital-Franciscan Healthcare and was diagnosed with a contusion in his neck. Kingsley was provided with pain medication and was returned to the jail.

13. Kingsley has exhausted all remedies with respect to all claims in this matter.

FILED

MAY 06 2013

CLERK OF CIRCUIT COURT  
MONROE COUNTY WISCONSIN

CLAIMS FOR RELIEF

14. The actions of Raddatz in using physical force against Kingsley without need was unreasonable in light of the facts and circumstances in violation of the United States and Wisconsin Constitutions'

WHEREFORE, Kingsley requests the Court grant the following relief:

A. Issue a declaratory judgment stating that:

1. The physical abuse of Kingsley by Raddatz violated Kingsley's Rights under the 4th, 14th Amendments to the United States Constitution and Article I section 1 of the Wisconsin Constitution.

B. A trial by Jury.

C. Award compensatory damages in the following amount:

1. \$20,000 Jointly and severally against Raddatz for the physical and emotional injuries and pain sustained as a result of the use of excessive force on Kingsley.

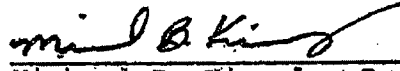
D. Award punitive damages in the following amount:

1. \$20,000 against Raddatz for punishment, including deprivation of liberty and amenity.

E. Grant such other relief as it may appear Kingsley is entitled.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 4<sup>th</sup> day of April, 2013,

  
Michael B. Kingsley Pro Se

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MAY 06 2013

CLERK OF CIRCUIT COURT  
MONROE COUNTY WISCONSIN

